Mr. SPEAKER.—Schedule II. The question is ;

"That Schedule II stand part of the Bill."

The motion was adopted

Schedule II was added to the Bill.

Mr. SPEAKER.—Schedule III ; there are two amendments.

Sri S. RAJAGOPAL.—I am not moving both the amendments.

Mr. SPEAKER.—The question is :

"That Schedule III stand part of the Bill"

The motion was adopted.

Schedule III was added to the Bill.

Mr. SPEAKER.—The question is :

"That clause 1, the Preamble and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Preamble and the Title were added to the Bill.

Motion to pass.

Sri K. PUTTASWAMY.—Sir, I beg to move :

"That the Robertsonpet Muncipality (Formation and miscellaneous Provisions) Bill, 1962, be passed"

Mr. SPEAKER.—The question is :

"That the Robertsonpet Municipality (Formation and Miscellaneous Provisions) Bill, 1962, be passed".

The motion was adopted.

MYSORE FIRE FORCE BILL, 1963.

Motion to consider.

Sri R. M. PATIL (Minister for Home).—Sir, I beg to move :

"That the Mysore Fire Force Bill, 1963, be taken into consideration".

Mr. SPEAKER.—Motion moved :

"That the Mysore Fire Force Bill, 1963, be taken into consideration."

†Sri R. M. PATIL.—Sir, this is a very useful measure for the welfare of all sections of the public. In these days of industrialisation, the better experience goes to show that much of the property connectedwiths trade is damaged on account of fire mischief. In order to prevent such mischiefs and also to have effective control, it is necessary in the interest of the public and also in the interest of national wealth that a uniform law should be passed so far as My ore is concerned. In the old Mysore area these activities were controlled by the police force. In the rest of the areas the municipal authorities were handling this. As a matter of fact, there is no legislation as such controlling and regulating the fire mischiefs and preventing the same. The Government of India thought fit to advise ways and means and a sub-committee of experts was constituted as far back as 1950. The committee went into the details of the working of the fire forces in all the States and ultimately submitted a report. Before they submitted their report, they carefully considered the provisions of the law which was passed in 1947 in the United Kingdom. In 1948, the Madras Assembly passed a legislation. Having considered all these measures, they recommended a uniform legislation to bring in a uniform law with the consent of all the States. Accordingly, a model Bill was drafted and sent and the States were allowed to amend or modify those provisions of the model Bill so as to suit their own purpose. As such, this Bill is drafted and it is for the kind consideration of this august House.

Sir, the main object of this Bill, as I said already is to have one uniform law and one uniform agency to control these activities. Fire stations in the State are under the management of the police and the local bodies and their duties and responsibilities are not governed by any regulated law.

The provisions which are necessary for the consideration of this House are: There will be one Director who can control the entire organisation. He will be under the control of the Home ministry. In respect of maintenance of the force, the provisions mentioned in Chapter II would prevail. There is also a provision made for introducing auxillary fire forces, which are voluntary organisations, in order to help the regular fire service, under clause 9. Chapter III deals with the powers of the State Government to make regulations.

Then coming to the other provisions, there is the main clause 15. The State Government may levy a cess, called' Fire Tax on Lands and Buildings, situated in areas in which this Act is in force and on which a property tax by whatever name it is called is levied by any local authority in that area. The fire tax shall be levied in the form of a surcharge on the property tax at such rates not exceeding 10 per cent of the property tax as the State Government may by notification in the official Gazette determine. This is done so that the people will feel that the fire force is maintained for the benefit of those who are the tax payers.

Clause 17 is just to enable the neighbourers to take advantage of the existing fire force, which is located in a notified area or in a place where, it is established under notification. If the force is sent beyond

the limits of jurisdiction for the purpose of extinguishing fire, the owners or occupiers of the premises affected will have to pay a fee prescribed under the Act. The fee referred to in sub-section 1 shall be payable within 30 days of the service of service of notice by the Director on the owner or occupier as arrears of land revenue. This is an ordinary provision. When this Bill is passed and implemented, the establishment of fire force which are maintained by the local authorities shall be transferred to the Government. The provision is contained in clause 18. On the date on which this Act comes into force any area within the jursidiction of a local authority and the assets and liablities pertaining to the fire force maintained by such local authority shall stand transferred to and vest in the State Government. For that compensation is also contemplated.

Another important clause is clause 24. Any person who without just cause fails to communicate information in his possession regarding the outbreak of fire as required by section 39, shall be punishable with simple imprisonment which may extend to one month or with fine which may extend to Rs. 500. It is a resposibility or duty cast by law to give information if there is liklihood of outbreak of fire. This is a very salutory provision to give effect to alert the fire forces.

Clause 26 deals with wilful obstruction of fire fighting operations. Any person who wilfully obstructs or interferes with any member of the force, who is engaged in fire-fighting operations, shall be punishable with imprisonment which may extend to 3 months or with fine which may extend to Rs. 500 or both. This is also a very effective measure in order to see that nobody should obstruct efforts to put out a fire.

These are the important provisions and I trust that this august House will pass this Bill.

MR. SPEAKER.—Clause 40 is not precise. Would the Hon'ble Home Minister explain that clause ?

†ಶ್ರೀ ಗಂಗಾಧರ ನಾಪೋಷಿ (ಗುಲ್ಬರ್ಗ).—ಸ್ವಾಮೀ, ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಚಾಪ್ಟರು ನಾಲ್ಕರಲ್ಲಿರುವ ಕಲಮು 15 (2) ರಲ್ಲಿ ಶೇಕಡಾ ಹತ್ತರಂತೆ ಟ್ಯಾಕ್ಸನ್ನು ವಸೂಲ ಮಾಡಬೇಕೆಂದು ಮಾಡಿದ್ದಾರೆ. ಬಹುತೇಕ ದೊಡ್ಡ ದೊಡ್ಡ ಗೊಡೌನು ಇಟ್ಟಿರುವಂತಹ ವರ್ತಕರುಗಳು ಸೇಂಗಾ, ಅರಳೆ, ಕಡ್ಡಿಪೆಟ್ಟಿಗೆ ಇತ್ಯಾದಿ ಮಾರುವವರು ಇಂತಹವರ ಮೇಲೆ ಈ ಟ್ಯಾಕ್ಸನ್ನು ಹಾಕುವುದು ಸರಿಯಾಗಿರುತ್ತದೆ. ನುಮ್ಮನೆ ಸಣ್ಣ ವರ್ತಕರುಗಳ ಮೇಲೆ ಇಂತಹ ಹೊರೆಯನ್ನು ಹಾಕುವುದು ಎಂದರೆ ಸರಿ ಕಾಣುವುದಿಲ್ಲ. ಅಲ್ಲದೆ ದೊಡ್ಡ ವರ್ತಕರುಗಳ ಮೇಲೆ ಹಾಕುವಾಗಲೂ ಅವರುಗಳು ಇಟ್ಟಿರುವ ಲೆಕ್ಕವನ್ನು ತೆಗೆದು ಪರಿಶೀಲಿಸಿ ಅದರ ಅಧಾರದ ಮೇಲೆ ಶೇಕಡಾ ಮೂರರಷ್ಟು, ಅಥವಾ ನಾಲ್ಕರಷ್ಟು, ಐದರಷ್ಟು ಎಂದುಬೇಕಾದರೂ ಹಾಕುವುದು ಉತ್ತಮ. ಅಲ್ಲದೆ ದೊಡ್ಡ ವರ್ತಕರು ಲೆಸನ್ನನ್ನು ಹೇಗೂ ತೆಗೆದಿರುತ್ತಾರೆ ಮತ್ತು ಅವರಲ್ಲಿ ಲೆಕ್ಕ ಸಿಗುತ್ತದೆ.

ಎರಡನೆಯದು, ನುಮ್ಮನೆ ಮುನಿಸಿಪಾಲಿಟಿಯವರೇ ಎಲ್ಲಾ ಟ್ಯಾಕ್ಸುಗಳನ್ನೂ ವಸೂಲ ಮಾಡಿಕೊಡಬೇಕೆಂದು ಇದರಲ್ಲಿಯೂ ಮಾಡಿದ್ದಾರೆ. ನಿನ್ನೆತಾನೇ ಮುನಿಸಿಪಾಲಿಟಿ ಮನೂದೆ ಬಿಲ್ಲು ಬಂದಾಗ ಇದರ ಬಗ್ಗೆ ಪೂರ್ತಿ ಚರ್ಚೆ ಕೂಡ ಮಾಡಿದೆವು. ಒಂದುಕಡೆ ಹೆಲ್ತ್ ಸೆಸ್ಸು, ಒಂದುಕಡೆ ಎಜುಕೇಷನ್ನು ಸೆಸ್ಸು ಹೀಗೆ ಯಾವುದೇ ಬಂದರೂ ಮುನಿಸಿಪಾಲಿಟಿಯವರ ಕಡೆಯಿಂದಲೇ ವಸೂಲ್ಸು ಮಾಡಬೇಕೆಂದು ಮಾಡಿರುತ್ತಾರೆ. ಅಡಿಷನಲ್ ಮುನಿಸಿಪಲ್ ಟ್ಯಾಕ್ಸು ಇಪ್ಪತ್ತು ಪರ್ಸೆಂಟು, ಹೆಲ್ತ್ ಸೆಸ್ಸು 9 ಪರ್ಸೆಂಟು, ಲೇಬರು ಸೆಸ್ಸು ಇಪ್ಪತ್ತು ಪರ್ಸೆಂಟು ಎಂದು ಮುನಿಸಿಪಾಲಿಟಿಯವರು ವಸೂಲು ಮಾಡಿಕೊಡುತ್ತಿದ್ದರೂ ಮುನಿಸಿಪಾಲಿಟಿಗಳಿಗೆ ಈ ಇಲಾಖೆಯವರು ಮಾಡಿಕೊಡುತ್ತಿರುವ ಸೌಕರ್ಯವಾದರೂ ಏನು ? ಆದುದರಿಂದ ಈ ರೀತಿ ಬೇರೆ ಬೇರೆ ಟ್ಯಾಕ್ಸುಗಳನ್ನು ವಸೂಲಿ ಮಾಡುವಾಗ ಪೇಲ್ಸ್ ಟ್ಯಾಕ್ಸನ್ನು ಹೇಗೆ ವಸೂಲು ಮಾಡುತ್ತಾರೋ ಅದರಂತೆ ವ್ಯಾಪಾರಸ್ಥರ ಮೂಲಕವೇ ಇವನ್ನೂ ವಸೂಲು ಮಾಡುವ ವ್ಯವಸ್ಥೆ ಮಾಡಬೇಕೆಂದು ನಾನು ಏನಂತಿ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

Mr. SPEAKER.—Is the Hon'ble Member suporting the Bill or not?

Sri GANGADHAR NAMOSHI.—I am for that. The forces should be maintained. But tax should not be levied on all the people. My alternate proposition is to put the tax on business people.

Sri R. M. PATIL.—Well Sir, his suggestions do not deserve any reply. The point is this, any how this is a tax whether it be included in the sale memo or whether it is included in any other way, it will be a tax. He is not against the tax. He is only objecting to the levy of a separate tax under the Fire Forces Act.

Mr. SPEAKER.—He objects to the mechinery, the Municipalities being employed for that purpose.

Sri R. M. PATIL.—When the residents in that municipal area want every facility, then the property within the Muninicipal area will have to be taxed. Therefore my humble suggestion is that his comments do not deserve any reply.

Mr. SPEAKER.—The question is:

"That the Mysore Fire Force Bill, 1963, be taken into consideration."

The motion was adopted.

Mr. SPEAKER.—There are no amendments upto clause 16. The question is:

"That clauses 2 to 16, both inclusive, stand part of the Bill".

The motion was adopted.

Clauses 2 to 16, both inclusive, were added to the bill.

Mr. SPEAKER.—Clause 17. The amendment is sent by three Hon'ble Members. I do not know who will move it.

Sri M. R. PATIL.—Sir, I beg to move:

"That after sub-clause (1), the following proviso, shall be added:

"Provided that in case where members of the force are so sent in order to extinguish a fire occurring in or spreading to a hay stack, a fodder stack or a thatched hut, the owner or occupier of the premises where such fire occurred or spread shall not be liable to pay such fee."

Mr. SPEAKER.—Amendment moved:

"That after sub-clause (1), the following proviso, shall be added:

"Provided that in case where members of the force are so sent in order to extinguish a fire occurring in or spreading to a hay stack, a fodder stack or a thatched hut, the owner or occupier of the premises where such fire occurred or spread shall not be liable to pay such fee."

Sri R. M. PATIL.—I accept the amendment, Sir.

Mr. SPEAKER.—The question is :

"That after sub-clause (1), the following proviso shall be added :

"Provided that in case where members of the force are so sent in order to extinguish a fire occurring in or spreading to a hay stack, a fodder stack or a thatched hut, the owner or occupier of the premises where such fire occurred or sprea shall not be liable to pay such fee."

The amendment was adopted.

Mr. SPEAKER.—Now the clause as amended. The question is :

"That clause 17 as amended stand part of the Bill."

The motion was adopted.

Clause 17, as amended, was added to the Bill.

Mr. SPEAKER.—Now clauses 18 to 27. The question is :

"That clauses 18 to 27, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 18 to 27, both inclusive, were added to the Bill.

Mr. SPEAKER.—Clause 28. There is an amendment.

Sri M. R. PATIL.—Sir, I move :

"That in clause 28, in line 3, the words "unless expressly permitted to do so by the Director", occurring at the end shall be deleted."

Mr. SPEAKER.—Amendment moved :

"That in clause 28, in line 3, the words "unless expressly permitted to do so by the Director," occurring at the end shall be deleted."

ಶ್ರೀ ಎಂ. ಆರ್. ಪಾಟೀಲ್.—ಸ್ವಾಮೀ' ಸೆಕ್ಷನ್ 28ರಲ್ಲಿ ಹಾಕಿರುವ ಪದಗಳು ಸರಿ ಕಾಣುವುದಿಲ್ಲ, ಅದರಿಂದ ಇವನ್ನು ಎಂದರೆ "Unless expressly permitted to do so by the Director" ತೆಗೆಯಬೇಕೆಂದು ನಾನು ಇಲ್ಲಿ ಸೂಚಿಸುತ್ತಿದ್ದೇನೆ.

Sri R. M. PATIL.—I accept the amendment, Sir.

6-00 P.M.

Mr. SPEAKER.—The question is :

"That in clause 28, in line 3, the words 'unless expressly permitted to do so by the Director', occurring at the end shall be deleted."

The motion was adopted.

Mr. SPEAKER.—The question is:

"That clause 28, as amended, stand part of the Bill."

The motion was adopted.

Clause 28, as amended, was added to the Bill.

Mr. SPEAKER.—The question is:

"That clauses 29 to 38, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 29 to 38, both inclusive, were added to the Bill."

CLAUSE 39.

Sri M. R. PATIL.—I move:

"That in clause 39 in sub-clause (2), in item (e) lines 2 and 3, the brackets and the words "(including the levy of fee)" shall be deleted."

Mr. SPEAKER.—Amendment moved:

"That in clause 39, in sub-clause (2), in item (e) lines 2 and 3, the brackets and the words "(including the levy of fee)' shall be deleted."

Sri R. M. PATIL.—I accept it.

Mr. SPEAKER.—The question is:

"That in clause 39 in sub-clause (2), in item (e) lines 2 and 3, the brackets and the words '(including the levy of fee)" shall be deleted."

The amendment was adopted.

Mr. SPEAKER.—The question is:

"That clause 39, as amended, stand part of the Bill."

The motion was adopted.

Clause 39, as amended, was added to the Bill.

Mr. SPEAKER.—The question is:

"That clause 40 stand part of the Bill."

The motion was adopted.

Clause 40 was added to the Bill.

Mr. SPEAKER.—Clause 1, the Title and the Preamble. The question is :

"That clause 1, the Title and Preamble stand part of the Bill."

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill.

Motion to pass.

Sri R. M. PATIL.—Sir, I move :

"That the Mysore Fire Force Bill, 1963, as amended, be passed."

Mr. SPEAKER.—The question is :

"That the Mysore Fire Force Bill, 1963, as amended, be passed."

The motion was adopted.

Mr. SPEAKER.—The House will now adjourn and meet again tomorrow at 8-30 A.M.

The House adjourned at Five Minutes past Six of the Clock to meet again at Thirty Minutes past Eight of the Clock on Saturday, the 7th December 1963.

WD 1760 - GPB—900—17-1-1964